

43. (Amended) A method as claimed in claim 41 wherein both the inner catheter tube and the outer catheter tube are flushed before delivering the embolic protection filter through the loading device.

50. (Amended) A device as claimed in claim 48 wherein the large diameter portion has a diameter of approximately 0.018" (0.4572 mm).

52. (Amended) A device as claimed in claim 46 wherein the stem comprises a wire.

53. (Amended) A device as claimed in claim 46 wherein the stem comprises a low friction coating for ease of threading through the medical device.

55. (Amended) A device as claimed in claim 45 wherein the device comprises a handle.

#### **REMARKS**

In this Amendment, Applicants have canceled claims 25, 44 and 56 without prejudice or disclaimer, and amended claims 3, 5, 6, 9, 11-13, 15, 16, 19, 22, 23, 30-34, 38-43, 50, 52, 53 and 55. The changes to the pending claims are indicated with strikethrough and underlining in the Appendix of this Amendment, as required by new rule 37 C.F.R. § 1.121(c)(1)(ii). Accordingly, claims 1-24, 26-43 and 45-55 are pending in this application.

This Preliminary Amendment in no way manifests an intent on the part of Applicants to narrow the scope of the originally-filed claims. The Examiner is respectfully requested to consider the above Preliminary Amendment prior to examination of the application.

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If there are any other fees due in connection with the filing of this amendment, please charge the fees to Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our deposit account.

Respectfully submitted,

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Dated: December 28, 2001

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## APPENDIX TO AMENDMENT

Applicants submit the following requested changes to the present application with strikethrough and underlining for the Examiner's convenience as required by new rule 37 C.F.R. § 1.121(c)(1)(ii). This APPENDIX is not intended to be entered into the application.

### IN THE CLAIMS:

The changes requested of claims 3, 5, 6, 9, 11-13, 15, 16, 19, 22, 23, 30-34, 38-43, 50, 52, 53 and 55 are as follows:

3. (Amended) An assembly as claimed in claim 1 ~~or 2~~ wherein the pushing device comprises a proximal stop for engagement with the embolic protection filter.

5. (Amended) An assembly as claimed in ~~any of claims 1 to 4~~ claim 1 wherein the pushing device comprises a handle.

6. (Amended) An assembly as claimed in ~~any of claims 2 to 5~~ claim 2 wherein the loading device comprises means for radially compressing the embolic protection filter.

9. (Amended) An assembly as claimed in claim 7 ~~or 8~~ in which the cone angle of the funnel is between 15° and 65°.

11. (Amended) An assembly as claimed in ~~any of claims 2 to 10~~ claim 2 wherein the loading device extends into the reception space.

12. (Amended) An assembly as claimed in ~~any of claims 2 to 10~~ claim 2 wherein the loading device extends around the outside of the reception space.

13. (Amended) An assembly as claimed in ~~any of claims 1 to 12~~ claim 1 comprising a tray, the tray comprising a first retaining means for releasably supporting the pushing device in a disengaged position before delivering the embolic protection filter into the catheter.

15. (Amended) An assembly as claimed in claim 13 ~~or 14~~ wherein the retaining means comprises a channel for receiving the loading device and/or the catheter and/or the pushing device, and at least one projection on the channel wall projecting inwardly for snap retention of the loading device and/or the catheter and/or the pushing device.

16. (Amended) An assembly as claimed in ~~any of claims 13 to 15~~ claim 13 wherein the tray comprises a liquid retaining bath formed by a recess in the tray, the bath having a depth sufficient to accommodate in a totally submerged state the

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reception space of the catheter and the embolic protection device for submerged loading of the embolic protection filter into the reception space.

19. (Amended) An assembly as claimed in ~~claims 17 or 18~~ claim 17 wherein a ramp is provided at an end of the channel communicating with the bath to direct the reception space of the catheter towards a bottom of the bath.

22. (Amended) An assembly as claimed in ~~any of claims 16 to 21~~ claim 16 wherein the first retaining means is provided within the bath.

23. (Amended) An assembly as claimed in ~~any of claims 1 to 22~~ claim 1 comprising a flushing means.

30. (Amended) A method as claimed in ~~any of the claims 26 to 29~~ claim 26 wherein the pushing device comprises a wire for threading through the embolic protection filter, the wire defining a distal stop for engaging the embolic protection filter.

31. (Amended) A method as claimed in ~~any of claims 26 to 30~~ claim 26 wherein the loading device comprises an elongate neck at the outlet end, and the method comprises the step of at least partially positioning the elongate neck in the reception space before delivering the embolic protection filter into the reception space.

32. (Amended) A method as claimed in ~~any of claims 26 to 31~~ claim 26 wherein the method comprises the step of flushing the embolic protection filter before delivering the embolic protection filter into the reception space.

33. (Amended) A method as claimed in ~~any of claims 26 to 32~~ claim 26 wherein the method comprises the step of flushing the catheter before delivering the embolic protection filter into the reception space.

34. (Amended) A method as claimed in ~~any of claims 28 to 33~~ claim 28 wherein the catheter comprises an outer catheter tube and an inner catheter tube, the inner catheter tube defining the internal proximal stop.

38. (Amended) A method as claimed in ~~claim 36 or 37~~ wherein the pushing device comprises a wire for threading through the embolic protection filter, the wire defining a distal stop for engaging the embolic protection filter.

39. (Amended) A method as claimed in ~~any of claims 36 to 38~~ claim 36 wherein the loading device comprises an elongate neck at the outlet end, and the method comprises the step of at least partially aligning the elongate neck with the reception space before delivering the embolic protection filter through the loading device.

40. (Amended) A method as claimed in ~~any of claims 36 to 39~~ claim 36 wherein the method comprises the step of flushing the embolic protection filter before delivering the embolic protection filter through the loading device.

41. (Amended) A method as claimed in ~~any of claims 36 to 40~~ claim 36 wherein the method comprises the step of flushing the catheter before delivering the embolic protection filter into the reception space.

42. (Amended) A method as claimed in ~~any of claims 36 to 41~~ claim 36 wherein the catheter comprises an outer catheter tube and an inner catheter tube, the inner catheter tube defining the internal proximal stop.

43. (Amended) A method as claimed in claim 41 ~~or 42~~ wherein both the inner catheter tube and the outer catheter tube are flushed before delivering the embolic protection filter through the loading device.

50. (Amended) A device as claimed in claim 48 ~~or 49~~ wherein the large diameter portion has a diameter of approximately 0.018" (0.4572 mm).

52. (Amended) A device as claimed in ~~any of claims 46 to 51~~ claim 46 wherein the stem comprises a wire.

53. (Amended) A device as claimed in ~~any of claims 46 to 52~~ claim 46 wherein the stem comprises a low friction coating for ease of threading through the medical device.

55. (Amended) A device as claimed in ~~any of claims 45 to 54~~ claim 45 wherein the device comprises a handle.

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